

Department of Veterans Affairs

§ 21.7722

STATE APPROVING AGENCIES

§ 21.7700 State approving agencies.

VA and State approving agencies have the same general responsibilities for approving courses for training under 38 U.S.C. chapter 1606 (or 10 U.S.C. chapter 106 as in effect before December 1, 1994) as they do for approving courses for training under 38 U.S.C. chapter 30 or 32. Accordingly, in administering 10 U.S.C. chapter 1606 (or 10 U.S.C. chapter 106 as in effect before December 1, 1994), VA will apply the provisions of the following sections:

- (a) § 21.4150—Designation,
- (b) § 21.4151—Cooperation,
- (c) § 21.4152—Control by agencies of the United States,
- (d) § 21.4153—Reimbursement of expenses,
- (e) Section 21.4154—Report of activities,

(Authority: 10 U.S.C. 16136(b); 38 U.S.C. 3670 through 3676)

[53 FR 34740, Sept. 8, 1988, as amended at 55 FR 48844, Nov. 23, 1990; 61 FR 29310, June 10, 1996]

APPROVAL OF COURSES

§ 21.7720 Course approval.

(a) *Courses must be approved.* (1) A course of education offered by an educational institution must be approved by—

- (i) The State approving agency for the State in which the educational institution is located; or
- (ii) The State approving agency which has appropriate approval authority; or
- (iii) VA, where appropriate.

(2) In determining when approval authority rests with the State approving agency or VA, the provisions of § 21.4250 (b)(3), (c)(2)(i), (c)(2)(ii), (c)(2)(iii), and (c)(2)(iv) apply.

(3) A course approved under 38 U.S.C. chapter 36 is approved for purposes of 10 U.S.C. chapter 1606 (or 10 U.S.C. chapter 106 as in effect before December 1, 1994).

(Authority: 10 U.S.C. 2131(c), 2136(b); 16131(c)(1), 16136(b); 38 U.S.C. 3672; sec. 705(a)(1), Pub. L. 98-525, 98 Stat. 2565, 2567; sec. 642, Pub. L. 101-189, 103 Stat. 1456-1458)

(b) *Course approval criteria.* In administering benefits payable under 10 U.S.C. chapter 1606 (or 10 U.S.C. chapter 106 as in effect before December 1, 1994), VA and, where appropriate, the State approving agencies, shall apply the following sections:

- (1) § 21.4250 (except paragraph (c)(1))—Approval of courses;
- (2) § 21.4251—Period of operation of course;
- (3) § 21.4253 (except those portions of paragraphs (b) and (f) that permit approval of a course leading to a high school diploma)—Accredited courses;
- (4) § 21.4254—Nonaccredited courses;
- (5) § 21.4255—Refund policy; non-accredited courses;
- (6) § 21.4258—Notice of approval;
- (7) § 21.4259—Suspension or disapproval;
- (8) § 21.4260—Courses in foreign countries;
- (9) § 21.4261—Apprentice courses;
- (10) § 21.4262—Other training on-the-job courses;
- (11) § 21.4265—Practical training approved as institutional training or on-job training;
- (12) § 21.4266—Courses offered at subsidiary branches or extensions; and
- (13) § 21.4267—Approval of independent study.

(Authority: 10 U.S.C. 16131(c)(1), 16136(b); 38 U.S.C. 3670 through 3676)

[61 FR 29310, June 10, 1996, as amended at 62 FR 55762, Oct. 28, 1997]

§ 21.7722 Courses and enrollments which may not be approved.

(a) The Secretary of Veterans Affairs may not approve an enrollment by a reservist in, and a State approving agency may not approve for training under 10 U.S.C. chapter 1606 (or 10 U.S.C. chapter 106 as in effect before December 1, 1994):

- (1) A bartending or personality development course;
- (2) A course offered by radio;
- (3) Except for enrollments in a nurse's aide course approved pursuant to § 21.4253(a)(5), an institutional course for the objective of nurse's aide or a nonaccredited nursing course which does not meet the licensing requirements in the State where the course is offered; or